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July 14, 2022

**VIA ECF**

Hon. Jesse M. Furman  
United States District Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square, Room 1105  
New York, New York 10007

Re: **Juel Roundtree v. Dr. Mullins, et.al.**  
Index No.: 19-CV-2475  
Our File No.: 611-3284

**STATEMENT OF SUGGESTION OF DEATH UNDER THE RECORD  
PURSUANT TO RULE 25(A)(1) OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Dear Honorable Judge Furman:

As you are aware, our law firm represents defendants Dr. Jane San Jose, Dr. Arkady Cherchever, and Dr. John Mullins in the above-referenced matter.

This afternoon, I learned via Ms. Angelica Ellis, who appears to be plaintiff's domestic partner, that Mr. Roundtree passed away on May 28, 2022, intestate, in New York County with no formal successors or representatives. Pursuant to Fed. R. Civ. P. Rule 25(a)(1), please allow this correspondence to serve as a formal statement of Suggestion of Death Under the Record.

Ms. Ellis has represented that she is uncertain as to how she wishes to proceed with this lawsuit and that she needs time to process Mr. Roundtree's passing. My understanding is that this action will be automatically dismissed if a formal motion seeking substitution is not made within 90 days of this Statement. Our motion seeking summary judgment, which was filed on May 23, 2022 is also pending and remains unopposed.

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ATTORNEYS AT LAW

Ms. Ellis has access to Mr. Roundtree's email account and mail and I have sent a courtesy copy of this Statement to her via those means.

Please advise if we can be of any further assistance. We thank the Court for its time and consideration.

Respectfully submitted,



Darshan I. Patel

DIP/amb

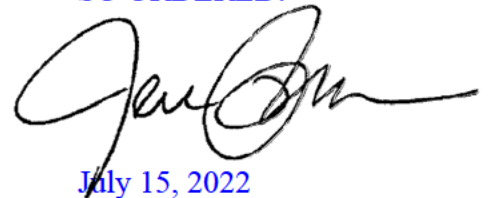
cc: **VIA EMAIL**  
Ms. Angelica Ellis  
127 West 83<sup>rd</sup> Street  
PO Box 1038  
New York, NY 10024  
[juelroundtree2021@gmail.com](mailto:juelroundtree2021@gmail.com)

The Court extends its condolences to Ms. Ellis. Pursuant to Federal Rule of Civil Procedure 25(a)(1), any motion for substitution may be made by any party or by the decedent's successor or representative **within 90 days** after service of the statement noting death. If no such motion for substitution is filed in that time period, this case will be dismissed without further notice. Additionally, it is hereby **ORDERED** that all dates and deadlines in this action are **STAYED** for 90 days.

The Clerk of Court is directed to update the docket and to mail a copy of this Order to Ms. Ellis at the address noted in this letter. Defendants are also ordered to serve a copy of this Order on Ms. Ellis electronically via email within one business day of the date of this Order, and to file proof of such service on the docket within two business days of the date of this Order.

Finally, the Clerk of Court is directed to terminate ECF No. 142 (although the motion will technically remain pending).

SO ORDERED.



July 15, 2022